

THE WEITZ LAW FIRM, P.A.

Bank of America Building
18305 Biscayne Blvd., Suite 214
Aventura, Florida 33160

December 5, 2019

VIA CM/ECF

Honorable Judge Katherine Polk Failla
United States District Court
Southern District of New York
40 Foley Square - Courtroom: 618
New York, NY 10007

MEMO ENDORSED

**Re: Velasquez v. 80-90 Maiden Lane Del LLC, d/b/a Gristedes Supermarket, et al.
Case 1:19-cv-06911-KPF**

Dear Judge Failla:

The undersigned represents the Plaintiff in the above-captioned case matter.

The Initial Pretrial Conference in this matter is currently scheduled for December 13, 2019 at 11:00 a.m., in your Honor's Courtroom. However, Defendants, who were originally properly served [D.E. 9 and D.E. 10], have not yet appeared in this matter. Nevertheless, it has come to the undersigned's attention that the corporation, as named in the Amended Complaint for Tenant, is incorrect. Therefore, by this letter-motion, the undersigned seeks leave of Court to amend the Amended Complaint to reflect the correct party's corporate name.

Also, to afford additional time for Plaintiff to serve the Second Amended Complaint and for Defendants to properly appear and respond to said Second Amended Complaint, a 30-day adjournment of the Conference is hereby respectfully requested to mid-January, or any other date most convenient to this Honorable Court. This is the undersigned's second adjournment request with regard to this matter.

Thank you for your kind attention to the matters herein.

Sincerely,

By: /s/ B. Bradley Weitz

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Applications GRANTED. Plaintiff's request for leave to file a second amended complaint is GRANTED. One of the defendants in the amended complaint was not properly served, and the one defendant that was properly served has not appeared. Therefore, the defendants named in the amended complaint in this action will suffer no prejudice by an amendment.

The initial pretrial conference previously scheduled for December 13, 2019, is hereby ADJOURNED to **January 29, 2020, at 3:00 p.m.** in Courtroom 618 of the Thurgood Marshall Courthouse, New York, NY. The parties proposed case management plan and joint status letter shall be filed on or before **January 23, 2020.**

Dated: December 5, 2019
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE